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**OFFICIAL****FAX TRANSMITTAL SHEET****SYMYX TECHNOLOGIES, INC.**  
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<b>Date:</b>	<b>April 29, 2004</b>	<b>From:</b>	<b>Timothy A. Porter</b>
			<b>Reg. No. 41,258</b>
<b>To:</b>	<b>Commissioner of Patents</b>	<b>Docket:</b>	<b>2000-096DIV5</b>
	<b>P.O. Box 1450</b>		
	<b>Alexandria, VA 22313-1450</b>	<b>Fax No:</b>	<b>(703) 872-9306</b>

**Number of pages included in this fax: 7**

<b>In re Application of:</b>	<b>Boussie et al.</b>	<b>Confirmation No.</b>	<b>5784</b>
<b>Serial No.:</b>	<b>09/992,630</b>	<b>Group Art Unit:</b>	<b>1754</b>
<b>Filed:</b>	<b>11/6/2001</b>	<b>Examiner:</b>	<b>Pasterczyk</b>
<b>For:</b>	<b>Substituted Pyridyl Amine Complexes and Catalysts</b>		

**Dear Sir:**

**Enclosed please find copies of the following documents to be filed regarding the above identified patent application:**

- **Transmittal (3 pages)**
- **Reply/Amendment A (2 pages)**
- **Terminal Disclaimer (1 page)**

**Please enter these into the file and contact us if necessary.**

**Respectfully Submitted,**  
**Timothy A. Porter**  
**Reg. No. 41,258**

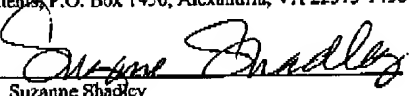
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Docket No. 2000-096DIV5  
**PATENT**

## CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office at facsimile number (703) 872-9306 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 29, 2004.

BY:

  
Suzanne Bradley**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	Boussie et al.
Serial No.:	09/992,630
Filed:	11/6/01
For:	Substituted Pyridyl Amine Complexes And Catalysts

Confirmation No. 5784

Group Art Unit: 1621

Examiner: Nazario Gonzalez,  
P.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Transmitted herewith (check all that apply):

- |  |   |
|--|---|
| <input type="checkbox"/> Preliminary Amendment             | <input type="checkbox"/> Information Disclosure Statement |
| <input checked="" type="checkbox"/> Reply/Amendment A      | <input type="checkbox"/> Petition Under 37 CFR 1.97(d)(2) |
| <input type="checkbox"/> Response/Amendment After Final    | <input type="checkbox"/> Formal Drawings                  |
| <input type="checkbox"/> Supplemental Amendment            | <input type="checkbox"/> Declaration Under 37 CFR 1.131   |
| <input type="checkbox"/> Affidavits/Declarations           | <input type="checkbox"/> Declaration Under 37 CFR 1.132   |
| <input type="checkbox"/> Declaration and Power of Attorney | <input checked="" type="checkbox"/> Terminal Disclaimer   |
| <input type="checkbox"/> Supplemental Declaration          | <input type="checkbox"/> Small Entity Statement           |
| <input type="checkbox"/> Power of Attorney                 | <input type="checkbox"/> Request for Refund               |
| <input type="checkbox"/> Change of Correspondence Address  | <input type="checkbox"/> Appeal                           |
| <input type="checkbox"/> Associate Power of Attorney       | <input type="checkbox"/> Petition for Extension of Time   |
| <input type="checkbox"/> Response to Missing Parts         | <input type="checkbox"/> Status Letter                    |

to be filed in the above-identified patent application.

Docket No. 2000-096DIV5

**PATENT****TOTAL AMOUNT OF PAYMENT: \$ 110.00****METHOD OF PAYMENT**

The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-0496

Deposit Account Name: Symyx Technologies, Inc.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Charge the Issue Fee Set at 37 CFR 1.18 at the Mailing of the Notice of Allowance**FEE CALCULATION****1. EXTRA CLAIM FEES**

		Extra Claims		Fee from below		Fee Paid
Total Claims		-20** =		X	=	
Independent Claims		-3** =		X	=	
Multiple Dependent Claims (first appearance) \$290/145						

\*\*or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
				<b>SUBTOTAL (2) (\$)</b>

Docket No. 2000-096DIV5  
**PATENT**

## 2. ADDITIONAL FEES


Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) Terminal Disclaimer 37 CFR 1.20(d)					110.00
<b>SUBTOTAL (3) (\$)</b>					<b>110.00</b>

\*Reduced by Basic Filing Fee Paid

Respectfully submitted,

Date:

9/29/04

  
 Timothy A. Roster  
 Reg. No. 41,258  
 Attorney for Applicant(s)

 Symyx Technologies  
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 Santa Clara, California 95051  
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Docket No. 2000-096DIV5  
PATENT

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BY: 

Suzanne Shadley

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Boussie et al.

Serial No.: 09/992,630

Filed: 11/6/01

For: Substituted Pyridyl Amine  
Complexes And Catalysts

Confirmation No. 5784

Group Art Unit: 1621

Examiner: Nazario  
Gonzalez, P.Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450REPLY/AMENDMENT A

Sir:

This Reply/Amendment A is submitted in response to the Office action dated March 4, 2004. The applicant respectfully requests reconsideration of the above-referenced patent application in view of the following remarks.

## REMARKS

Claims 1-17 are now pending in the above-referenced patent application.

**1. Provisional Rejections for Obviousness-Type Double Patenting**

Claims 1-17 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 7-30 of co-pending U.S. Patent Application No. 09/992,789. See paragraph 3 at page 2 of the Office action.

The applicant is filing a Terminal Disclaimer with respect to U.S. Patent Application Serial No. 09/992,789, to obviate this basis for rejection. This filing is being made to advance the prosecution of this case, without prejudice, and without admitting to or otherwise acquiescing to the aforementioned remarks set forth in the Office action.